NOTICE OF ALLOWANCE

Claim Status

This action is in response to papers filed August 27, 2009. Previous rejections in the office action dated May 27, 2009 are withdrawn. Previous rejections made under 35 USC 112 First Paragraph in the office action was withdrawn in view of reciting the original sequence of SEQ ID No 213 and persuasive arguments made by Applicants. Canceling claims 78 and 81-86, amending claims 1, 30-31 and 41 and correcting for any 35 USC 112 Second paragraph issues and the typographical errors have been authorized during the telephone interview with Applicant's representative Mr. Leychkis on December 2, 2009.

Claims 1, 4, 7, 9, 22, 24, 26, 28, 30, 31, 37, 41-43, 46, 49, 53, 57-60, 79 and 80 are pending in this application and are allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims 1, 4, 7, 9, 22, 24, 26, 28, 30, 31, 37, 41-43, 46, 49, 53, 57-60, 79 and 80 have been renumbered as Claims 1-23 according to 37 C.F.R. 1.126 (see MPEP 608.01 (j) and 608.01 (n) IV).

The application has been amended as follows:

In the claims : Cancel claims 78 and 81-86.

Claims 1, 30, 31 and 41 has been rewritten as listed below. No changes in the claims 4, 7, 9, 22, 24, 26, 28, 37, 42-43, 46, 49, 53, 57-60, 79 and 80 as filed on August 27, 2009.

1. A method for medium resolution typing of a target human leukocyte antigen (HLA) gene comprising:

a) isolating a target leukocyte cell comprising a target HLA gene from a suitable sample and obtaining a preparation comprising a target HLA nucleotide sequence that is at least a part of said target HLA gene from said isolated target leukocyte cell and, optionally another nucleotide sequence not related to said target HLA gene;

b) providing a chip comprising a support suitable for use in nucleic acid hybridization having immobilized thereon: a set of oligonucleotide probes complementary to said target HLA nucleotide sequence, each of said probes having 30 nucleotides or less, wherein said set of oligonucleotide probes comprises SEQ ID NOS: 1-214 or the complement of SEQ ID NOS: 1-214; and at least one of each of the following oligonucleotide control probes: a positive control probe, a negative control probe, a hybridization control probe and an immobilization control probe; and

c) hybridizing said preparation obtained in step a) to said chip provided in step b) and assessing hybridization between said target HLA nucleotide sequence and/or said another nucleotide sequence and said probe comprised on said chip to determine the type of said target HLA gene.

30. The method of claim 1, wherein the chip comprises 400 different types of probes.

31. The method of claim 1, wherein the chip comprises multiple arrays of probes and each array comprises 400 different types of probes.

41. The method of claim 1, wherein the positive control probe is: complementary to a portion of the target HLA nucleotide sequence; a nucleotide sequence amplified synchronically with the target HLA nucleotide sequence or; a synthetic nucleotide sequence.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The art of the record taken alone or in combination do not suggest or obviate a method for medium resolution typing of a target human leukocyte antigen (HLA) gene comprising a chip further comprising a set of oligonucleotide probes complementary to the target HLA nucleotide sequence, each of said probes having 30 nucleotides or less, wherein said set of oligonucleotide probes comprises SEQ ID NOS: 1-214 or the complement of SEQ ID NOS: 1-214; and at least one of each of the following oligonucleotide control probes: a positive control probe, a negative control probe, a hybridization control probe and an immobilization control probe. None of the references of the record either teach or suggest claimed method.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Claims 1, 4, 7, 9, 22, 24, 26, 28, 30, 31, 37, 41-43, 46, 49, 53, 57-60, 79 and 80 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Narayan K. Bhat whose telephone number is (571)-272-5540. The examiner can normally be reached on 8.30 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Nguyen can be reached on (571)-272-0731. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Narayan K. Bhat

Examiner, Art Unit 1634

/Stephen Kapushoc/

Primary Examiner, Art Unit 1634